

Michael P. Kenny, Esq. (admitted *pro hac vice*)
mike.kenny@alston.com
Debra D. Bernstein, Esq. (admitted *pro hac vice*)
debra.bernstein@alston.com
Matthew D. Kent, Esq. (admitted *pro hac vice*)
matthew.kent@alston.com
ALSTON & BIRD LLP
1201 West Peachtree Street
Atlanta, Georgia 30309-3424
Tel: (404) 881-7000
Facsimile: (404) 881-7777

James M. Wagstaffe, Esq. (SBN 95535)
wagstaffe@kerrwagstaffe.com

KERR & WAGSTAFFE LLP

101 Mission Street, 18th Floor

101 Mission Street, San Francisco
San Francisco, California 94103

Tel: (415) 371-8500

Tel. (415) 371-8500
Facsimile: (415) 371-

Facsimile: (415) 571-0500

Attorneys for Plaintiffs Dell Inc. and Dell Products L.P.

[Additional Counsel Listed on Signature Page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

DELL INC. and DELL PRODUCTS L.P.,

Plaintiffs,

V.

HITACHI, LTD., et al.,

Defendants

Master File No. 3:07-cv-05944-SC

MDL No. 1917

Individual Case No. 3:13-cv-02171-SC

**[PROPOSED] ORDER DENYING SDI
DEFENDANTS' MOTION FOR
PARTIAL SUMMARY JUDGMENT
FOR LACK OF STANDING AS TO
SHERMAN ACT DAMAGE CLAIMS
BASED ON CRT PRODUCT
PURCHASES FROM SAMSUNG
ELECTRONICS [MDL DKT #2983]**

1 [PROPOSED] ORDER

2 Upon consideration of the Direct Action Plaintiffs' Response in Opposition to SDI Defendants'
3 Motion for Partial Summary Judgment for Lack of Standing as to Their Sherman Act Damage Claims
4 Based on CRT Product Purchases from Samsung Electronics (the "Opposition to the SDI Motion for
5 Summary Judgment") [MDL DKT #2983], it is hereby:

6 ORDERED that SDI Defendants' Motion for Partial Summary Judgment is DENIED.

7

8 Dated: _____, 2014

9

10 The Honorable Samuel Conti
11 Northern District of California

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28